

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 6/16/2023

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NICHOLAS A. OWOYEMI,	:	
	:	
Plaintiff,	:	1:21-cv-8021-GHW-RWL
	:	
-against -	:	<u>ORDER</u>
	:	
CREDIT CORP SOLUTIONS INC.	:	
DBA TASMAN CREDIT,	:	
	:	
Defendant.	:	
	:	
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GREGORY H. WOODS, United States District Judge:

On May 31, 2023, Magistrate Judge Lehrburger issued a Report and Recommendation recommending that the Court grant Defendant’s motion for summary judgment. Dkt. No. 72 (“R&R”). In that R&R, Judge Lehrburger determined that Plaintiff—whose Amended Complaint asserted that Defendant violated the Fair Credit Reporting Act, 15 U.S.C. § 1681s-2(b)—failed to establish that Defendant received notice from any credit reporting agency before he commenced this action. Dkt. No. 72 at 14–17. That R&R found additional fatal defects with Plaintiff’s Fair Credit Reporting Act claim, including the absence of any evidence that Defendant reported inaccurate information or that Plaintiff suffered any damages. *Id.* at 17–18, 21–24.

A district court reviewing a magistrate judge’s report and recommendation “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Parties may raise specific, written objections to the report and recommendation within fourteen days of being served with a copy of the report. *Id.*; *see also* Fed. R. Civ. P. 72(b)(2). The Court reviews for clear error those parts of the report and recommendation to which no party has timely objected. *Lewis v. Zon*, 573 F. Supp. 2d 804, 811 (S.D.N.Y. 2008) (citation

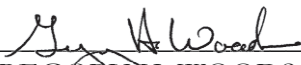
omitted); *see also* Fed. R. Civ. P. 72(b), advisory committee's note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

No objection to the R&R was submitted within the fourteen-day window. The Court has reviewed the R&R for clear error and finds none. *See Braunstein v. Barber*, No. 06 Civ. 5978 (CS) (GAY), 2009 WL 1542707, at *1 (S.D.N.Y. June 2, 2009) (explaining that a "district court may adopt those portions of a report and recommendation to which no objections have been made, as long as no clear error is apparent from the face of the record"). The Court therefore accepts and adopts the R&R in its entirety. For the reasons stated in the R&R, Defendant's motion for summary judgment is granted.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 61, to enter judgment for Defendant, and to close this case.

SO ORDERED.

Dated: June 16, 2023
New York, New York



GREGORY N. WOODS
United States District Judge